

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BARBARA JO ERVIN,  
Plaintiff,

vs.

SMITH'S FOOD & DRUG CENTERS, INC.,  
Defendant.

Case No. 2:13-cv-02206-MMD-CWH

**ORDER**

This matter is before the Court on Plaintiff's Counsel Adam S. Kutner and Victor M. Cardoza's Motion to Withdraw (#13), filed on April 10, 2014. Pursuant to Local Rule ("LR") IA 10-6, "[n]o attorney may withdraw after appearing in a case except by leave of Court after notice has been served on the affected client and opposing counsel." *See* LR IA 10-6(b). Having reviewed the motion, the Court finds that requirements of LR IA 10-6(b) have been met. Adam S. Kutner and Victor M. Cardoza indicate that they have been unable to communicate or contact Plaintiff and therefore, future representation is impossible. However, the Court notes that Plaintiff's Counsel requested that an extension of time for trial. No trial date has been set and discovery is still open. Therefore, the Court finds that good cause has not been provided pursuant to LR IA 10-6(e) to warrant an extension of any deadlines at this time. The Court will require that Plaintiff notify the Court by April 25, 2014 as to her intent to proceed pro se or with other representation. Failure to do so may result in dispositive sanctions.

**IT IS HEREBY ORDERED** that Plaintiff's Counsel Adam S. Kutner and Victor M. Cardoza's Motion to Withdraw (#13) is **granted**.

**IT IS FURTHER ORDERED** that Plaintiff shall notify the Court as to whether she intends to proceed pro se or retain counsel by **April 25, 2014**. Failure to notify the Court as to Plaintiff's representation status may subject her to dispositive sanctions, including a recommendation for dismissal

1 of this action.

2 **IT IS FURTHER ORDERED** that the Clerk of the Court shall send a copy of this Order to

3 Plaintiff's last known addresses:

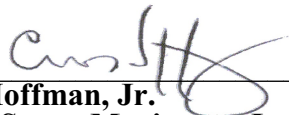
4 2601 South Pavilion Center Drive, Unit 2010

5 Las Vegas, NV 89145

6 10567 Foggy Glen Avenue

7 Las Vegas, NV 89135

8 Dated this 11th day of April, 2014.

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13 **C.W. Hoffman, Jr.**  
14 **United States Magistrate Judge**  
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